

REMARKS

The Office Action rejected claims under 35 U.S.C. § 102, 103 and 112. Applicants did not cancel, amend or add any claims. Claims 1, 3 and 5-22 are pending. Applicants requests that the Examiner reconsider and withdraw the rejections. A Petition for a one (1) month extension of time accompanies this Amendment as a separate paper.

Claim Rejections – 35 U.S.C. § 112

The Office Action rejected claims 1, 3, 5-11 and 17-20 as containing subject matter that was not sufficiently described in the specification as originally filed so as to convey to one skilled in the art that Applicants had possession of the claimed invention. Applicants assert that the rejection was improper and must be withdrawn.

There is no *in haec verba* requirement between newly added claim features and the specification. MPEP § 2163.01. Rather, newly added claim limitations can find support in the specification through express, implicit, or inherent disclosure. *Id.*

Applicants believe that the specification as originally filed provides express, implicit and inherent support for the previous changes to claims 1 and 17 (airflow traveling “around” the object) and claims 2 and 18 (airflow traveling “along” the object). First, Applicants direct the Examiner to Figure 4 for express support. Figure 4 demonstrates the airflow traveling along/around the ramp 101. The dotted line closest to the tarmac T travels along/around the ramp 101.

Second, Applicants direct the Examiner to paragraph 44 for inherent support. The ramp facilitates “the turning of the airflow near the tarmac T towards the engine 15.” To turn, the airflow would need to travel around and along the ramp.

Finally, Applicants direct the Examiner to paragraph 56 for implicit support. Paragraph 56 describes an alternative embodiment in which the ramp 301 "could be formed (*e.g.* injection molded) with an internal chamber that receives ballast material such as water." To retain water therein, one skilled in the art would recognize that the injection molded ramp 301 needs solid surfaces (*i.e.* without holes). These solid surfaces, to retain water within the ramp, would also deflect airflow around/along the ramp. For at least these reasons, Applicants request that the Examiner reconsider and withdraw the rejection.

Claim Rejections – 35 U.S.C. § 102

The Office Action rejected claims 1, 3, 6-9, 11-13 and 15-22 as being anticipated by United States Patent Number 6,162,011 to Gerhardt *et al.* ("Gerhardt"). Applicants assert that the rejection was improper and must be withdrawn. Specifically, Applicants believe that Gerhardt fails to disclose all of the claimed features. A reference can anticipate a claim only the reference discloses each and every claim element. M.P.E.P. § 2131.

All of the independent claims describe the use of the object/suppressor in connection with a gas turbine engine on an aircraft positioned on a tarmac. Gerhardt describes an element for ground-based turbines. In fact, the Office Action acknowledges this point in Paragraph 6 of the Office Action (Gerhardt ... lack[s] the engine being located on a wing of the aircraft"). For at least this reason, the rejection of claims 1, 3, 6-9, 11-13 and 15-22 was improper and must be withdrawn.

Furthermore, with respect to claims 1, 3, 6, 7 and 17, independent claims 1 and 17 also recite that the airflow travels "around" the object. Gerhardt fails to disclose or to suggest such a feature. Gerhardt prevents vortex formation by allowing "an after-flow of air ... to flow into the vortex core 4 of the

vortex due to the air permeability of the surface 6A of the element 6.” (Col. 5, ll. 17-20). In other words, the air flows “through” (col. 4, l. 53) the element, not along the element as recited in the claim. The Office Action tried to clarify how Gerhardt disclosed airflow traveling around the object by directing Applicants to Figure 3. Applicants point out to the Examiner that the “emanating” (col. 5, l. 46) airflow 13 emanates from within the element, and does not travel along the element. Figure 4 clearly shows the path of the emanating airflow 13.

Furthermore, with respect to claims 8, 9 and 11, independent claim 8 also recites that the airflow travels “along” the surface of the object. The term “along” denotes a course “parallel and close to” to an object (*The American Heritage Dictionary of the English Language, Fourth Edition*), as distinguished from a course across, or through, the object (*Webster’s Revised Unabridged Dictionary*). See Exhibit A.

Furthermore, with respect to claims 18-20, independent claim 18 also recites that the airflow travels “along” an “inclined” surface. As to the term “along,” Applicants reiterate the discussion above (claim 8) regarding the distinction between “along” and “through.” In addition, the surfaces identified in the Office Action are not inclined, they are vertical surfaces. The term “inclined” means “to deviate from horizontal or vertical” (*The American Heritage Dictionary of the English Language, Fourth Edition*). See Exhibit B.

Furthermore, with respect to claims 21 and 22, independent claim 21 also recites features that the rejection disregarded and failed to discuss. In its entirety, the rejection in the Office Action stated “[r]egarding claims 18-22, a base 7 faces the tarmac 3, an inclined surface 8, 9 extends in a direction from the tarmac towards the inlet (See Fig. 3) and a portable suppressor prevents formation of the vortex (See Col. 6, lines 6-14).” The rejection clearly disregarded the claim features of an “inclined” surface and a height of the inclined surface “ranging between approximately $(2h-D)/8$ and $(2h-D)/4$.” As

discussed above (claim 18), Gerhardt describes vertical surfaces, not inclined surfaces. In addition, Gerhardt lacks any discussion of a height range for the element. Applicants request that the Examiner reconsider and withdraw the rejection.

Claim Rejections – 35 U.S.C. § 103

The Office Action rejected claims 5, 10 and 14 as being unpatentable over Gerhardt over United States Patent Number 5,591,904 to Schafhaupt *et al.* ("Schafhaupt"). As discussed above, Gerhardt fails to disclose all of the claimed features of the independent claims. Schafhaupt does not overcome the shortcomings of Gerhardt. For at least this reason, the rejection should be withdrawn.

Conclusion

In light of the foregoing, Applicants submit that the claims are in condition for allowance. Applicant requests that the Examiner reconsider and withdraw the rejections. Applicants solicit the allowance of claims 1, 3 and 5-22 at an early date.

Respectfully submitted,



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a·long  **Pronunciation Key** (ə-lŏng', ə-lŏng')
prep.

1. Over the length of: walked along the path.
2. On a line or course parallel and close to;
continuously beside: rowed along the shore; the
trees along the avenue.
3. In accordance with: The committee split along
party lines over the issue.

adv.

1. Forward; onward: We drove along, admiring the
view. Farther along, we passed a hitchhiker.
2. As a companion: Bring your friend along.
3. In accompaniment or association; together:
packed an atlas along with other books. See
Usage Note at together.
4. With one; at hand: Luckily, I had my camera
along. Our guests should be along soon.
5. Informal. Advanced to some degree: getting
along in years.

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[Middle English, from Old English *andlang*, *extending opposite* : *and-*, *facing*; see *ant-* in Indo-European Roots + *lang*, *long*; see *long*¹.]

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along

\A*long"\ [AS. *gelang* owing to.] (Now heard only in the prep. phrase *along of*.)

Along of, *Along on*, often shortened to *Long of*, prep. phr., owing to; on account of. [Obs. or Low. Eng.] "On me is not along thin evil fare." --Chaucer. "And all this is long of you." --Shak. "This increase of price is all along of the foreigners." --London Punch.

Source: *Webster's Revised Unabridged Dictionary*, © 1996, 1998 MICRA, Inc.

along

\A*long"\ (?; 115), adv. [OE. *along*, *anlong*, AS. *andlang*, *along*; pref. *and-* (akin to OFris. *ond-*, OHG. *ant-*, Ger. *ent-*, Goth. *and-*, *anda-*, L. *ante*, Gr. *?*, Skr. *anti*, over against) + *lang* *long*. See *Long*.] 1. By the length; in a line with the length; lengthwise.

Some laid along . . . on spokes of wheels are hung. --Dryden.

2. In a line, or with a progressive motion; onward; forward.

We will go along by the king's highway. --Numb. xxi. 22.

He struck with his o'ertaking wings, And chased us south along. --Coleridge.

3. In company; together.

He to England shall along with you. --Shak.



All along, all through the course of; during the whole time; throughout. "I have all along declared this to be a neutral paper." --Addison.

To get along, to get on; to make progress, as in business. "She'll get along in heaven better than you or I." --Mrs. Stowe.

Source: Webster's Revised Unabridged Dictionary, © 1996, 1998 MICRA, Inc.

along

VA*long "\, prep. By the length of, as distinguished from across. "Along the lowly lands." --Dryden.

The kine . . . went along the highway. --1 Sam. vi. 12.

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along

adv 1: with a forward motion; "we drove along admiring the view"; "the horse trotted along at a steady pace"; "the circus traveled on to the next city"; "move along"; "march on" [syn: on] 2: in accompaniment or as a companion; "his little sister came along to the movies"; "I brought my camera along"; "working along with his father" 3: to a more advanced state; "the work is moving along"; "well along in their research"; "hurrying their education along"; "getting along in years" 4: in addition (usually followed by 'with'); "we sent them food and some clothing went along in the package"; "along with the package came a bill"; "consider the advantages along with the disadvantages" 5: in line with a length or direction (often followed by 'by' or 'beside'); "pass the word along"; "ran along beside me"; "cottages along by the river"

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in·clined  **Pronunciation Key** (ĭn-klīnd')
adj.

1. Sloping, slanting, or leaning.
2. Having a preference, disposition, or tendency:
lobbied the positively inclined senators to push for the bill's passage.

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in·cline  **Pronunciation Key** (ĭn-klīn')
v. **in·clined**, **in·clin·ing**, **in·clines**
v. *intr.*

1. To deviate from the horizontal or vertical: *slant.*
2. To be disposed to a certain preference, opinion, or course of action.
3. To lower or bend the head or body, as in a nod or bow.

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v. *tr.*

1. To cause to lean, slant, or slope.
2. To influence to have a certain tendency; dispose:
Recent events incline us to distrust all politicians.
3. To bend or lower in a nod or bow: *inclined her head in acquiescence.*

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n. (*ˈɪnˈklɪn*)

An inclined surface; a slope or gradient.

[Middle English *enclinen*, from Old French *encliner*, from Latin *inclinare*: *in-*, *into, toward*; see *in-*² + *-clinare*, *to lean*; see *klei-* in Indo-European Roots.]

in·clin' er n.

Synonyms: *incline, bias, dispose, predispose*

These verbs mean to influence or be influenced toward a particular attitude or course of action: *inclined to believe her; is biased in his favor; were disposed to admire him; predisposed to studying*. See also synonyms at *slant*

Antonyms: *disincline*

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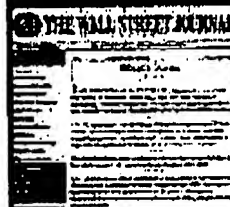
inclined

ˈɪnˈklɪnd *ˈɪ*, p. p. & a. 1. Having a leaning or tendency towards, or away from, a thing; disposed or moved by wish, desire, or judgment; as, a man inclined to virtue. "Each pensively inclined." —Cowper.

2. (Math.) Making an angle with some line or plane; -- said of a line or plane.

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3. (Bot.) Bent out of a perpendicular position, or into a curve with the convex side uppermost.

Inclined plane. (Mech.) (a) A plane that makes an oblique angle with the plane of the horizon; a sloping plane. When used to produce pressure, or as a means of moving bodies, it is one of the mechanical powers, so called. (b) (Railroad & Canal) An inclined portion of track, on which trains or boats are raised or lowered from one level to another.

Source: Webster's Revised Unabridged Dictionary, © 1996, 1998 MICRA, Inc.

inclined

Incline \n*cline", v. i. [imp. & p. p. **Inclined**; p. pr. & vb. n. **Inclining**.] [OE. inclinēn, enclinen, OF. encliner, incliner, F. incliner, L. inclinare; pref. in- in + clinare to bend, incline; akin to E. lean. See **Lean** to incline.] 1. To deviate from a line, direction, or course, toward an object; to lean; to tend; as, converging lines incline toward each other; a road inclines to the north or south.

2. Fig.: To lean or tend, in an intellectual or moral sense; to favor an opinion, a course of conduct, or a person; to have a propensity or inclination; to be disposed.

Their hearts inclined to follow Abimelech. --Judges ix.
3.

Power finds its balance, giddy motions cease In both the scales, and each inclines to peace. --Parnell.

3. To bow; to incline the head. --Chaucer.

Syn: To lean; slope; slant; tend; bend.

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inclined

adj 1: (often followed by 'to') having a preference, disposition, or tendency; "wasn't inclined to believe the excuse"; "inclined to be moody" [syn: **inclined(p)**] [ant: **disinclined**] 2: at an angle to the horizontal or vertical

position; "an inclined plane" [ant: horizontal, vertical] 3: having made preparations; "prepared to take risks" [syn: disposed(p), fain, inclined(p), prepared] 4: used especially of the head or upper back; "a bent head and sloping shoulders" [syn: bent, bowed]

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inclined

inclined: in CancerWEB's On-line Medical Dictionary

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